

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL ERALI II

Plaintiff, : DOCKET NO. 3:04-cv-30241-MAP

v.

TOWN OF ORANGE,

Defendant.

PROPOSED SPECIAL VERDICT FORM

1. Do you find that the conduct of Evelyn Daly constituted sexual harassment of Michael Erali?

Yes _____ No _____

Proceed to question 2.

2. Do you find that Evelyn Daly's conduct toward Michael Erali was partly motivated by his complaints about her conduct?

Yes _____ No _____

If you answered yes to either or both questions 1 or 2, go to question 3. If you answered no to questions 1 and 2, proceed to the end.

3. Do you find that the conditions at the Cemetery Department had become so difficult or unpleasant under Evelyn Daly that no reasonable person in Michael's shoes would tolerate continuing in his position?

Yes _____ No _____

If you answered yes to question 1 and/or 2 and 3, proceed to questions 4 through 8. If you answered yes to question 1 or 2 but not 3, proceed to questions 6, 7, and 8.

4. What damages do you award Michael to compensate him for lost pay and benefits up to the date of trial as a result of the defendant's actions?

\$ _____

Proceed to next question.

5. What damages do you award Michael to compensate him for future lost pay and benefits as a result of the defendant's actions?

\$_____

Proceed to next question.

6. What damages do you award Michael to compensate him for emotional distress or pain or suffering as a result of the defendant's actions or inaction?

\$_____

Proceed to next question.

7. Did the Town of Orange act with reckless indifference to Mr. Erali's rights under the law?

Yes _____ No _____

If yes, proceed to next question. If no, proceed to end.

8. What damages do you award Michael that will serve to punish the defendant for its illegal conduct and to deter it from such future illegal conduct?

\$_____

The foreperson should sign his or her name, date the form and return to the Courtroom.

Foreperson:

Dated:

Dated: February 20, 2007

Respectfully submitted,

PLAINTIFF MICHAEL ERALI II
By his attorney,

/s/ Suzanne Garrow
Suzanne Garrow BBO# 636548
sgarrow@comcast.net
Heisler, Feldman, McCormick
& Garrow, P.C.
1145 Main Street, Suite 508
Springfield, MA 01103
Ph. (413) 788-7988
Fax (413) 788-7996

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF).

/s/ Suzanne Garrow
Suzanne Garrow